## REMARKS

## Summary of Examiner Interview

Applicants thank the Examiner for the courtesy of a telephone interview on January 30, 2006. During the interview, the Examiner requested the following:

- 1) A list of the pending claims in the present application;
- 2) Claim charts for the present application comparing the pending claims to the recently submitted Information Disclosure Statements; and
- 3) A discussion of the differences in regards to double patenting between the claims pending in the present application and those pending in co-pending U.S. Patent Application No. 09/571,334.

## Response to Examiner's Requests

As to the first request, a list of the pending claims in the present application is submitted herewith. The list of pending claims incorporates the changes made to the claims in the concurrently filed Amendment. Claims 61-65, 69-85, 89-168, and 170-185 are pending.

As to the second request, three claim charts for the present application are submitted herewith. The first claim chart compares the pending claims with the documents submitted in the Information Disclosure Statement filed January 29, 2004. The second claim chart compares the pending claims with the documents submitted in the Second Information Disclosure Statement filed June 6, 2005. The third claim chart compares the pending claims with the documents submitted in the Third Information Disclosure Statement filed August 4, 2005. The first, second, and third claim charts are attached hereto. Due to the large number of claims and the large number of references that the Examiner requested be charted, the claim charts differ in style from

the claim charts previously submitted.

Further, a Fourth Information Disclosure Statement is concurrently filed. The Fourth Information Disclosure Statement corrects a typographical error in the U.S. patent number listed for document AL in the Information Disclosure Statement filed January 29, 2004. Document AL incorrectly listed U.S. Patent No. 5,879,713, instead of correctly listing U.S. Patent No. 5,879,173 (hereinafter the '173 patent). The '173 patent (and not the incorrectly listed patent) was previously submitted with the Information Disclosure Statement filed May 15, 2000 in parent U.S. Patent Application No. 09/571,334. The first claim chart submitted herewith lists the '173 patent, and not the incorrect patent, as document AL.

As to the third request regarding double patenting, the Office Action mailed March 9, 2006 rejected the pending claims based on statutory and nonstatutory double patenting. The Applicants' response is submitted in the concurrently filed Amendment. Further, the Applicants are concurrently filing a Terminal Disclaimer with respect to co-pending U.S. Patent Application No. 09/571,334.

-42-

## **Closing Comments**

Claims 61-65, 69-85, 89-168, and 170-185 are pending in the present application, and allowance of the application is requested.

Respectfully submitted,

Date: March 17, 2006

Michael A. Sartori, Ph.D. Registration No. 41,289

Kavita B. Lepping

Registration No. 54,262

VENABLE LLP P.O. Box 34385

Washington, D.C. 20043-9998

Telephone: (202) 344-4000 Telefax: (202) 344-8300

MAS/KBL 724160